

REMARKS

Applicants thank the Examiner for acknowledging Applicants' claim to foreign priority under 35 U.S.C. § 119, and receipt of the priority document filed December 12, 2003; for initialing and returning the PTO SB/08 Forms submitted with the Information Disclosure Statements of December 12, 2003; and indicating acceptance of the drawings filed on December 12, 2003.

DETAILED ACTION

Claim Rejections - 35 USC § 101

Claim 18 is rejected under 35 U.S.C. 101 as being allegedly directed to non-statutory subject matter.

Applicants have editorially amended the claim in a manner consistent with the Examiner's suggestion, which is not believed to affect the scope of the claim in any way, and thus it is believed no estoppel is implicated by the amendment to overcome the rejection. Reconsideration and withdrawal of the rejection under 35 USC § 101 are respectfully requested.

Claim Rejections - 35 USC § 112

Claim 18 is also rejected under 35 U.S.C. 112, first paragraph since the specification allegedly does not have support for a "Computer software product".

Applicants have amended the specification based on what was recited by claim 18 as originally filed. Reconsideration and withdrawal of the rejection under 35 USC § 112, first paragraph, are respectfully requested.

Claim Rejections ~35 USC § 102

Claims 1-18 are rejected under 35 U.S.C. 102(b) as being allegedly anticipated by Crockett et al. (US 2002/0042278). Applicant respectfully traverses these rejections.

Regarding claim 1

The Examiner cites Crockett as allegedly disclosing all of the features of the independent claim. After carefully reviewing Crockett, Applicants believe that the claimed invention is not disclosed or suggested by the applied reference.

Independent claim 1 recites, *inter alia*, the element “proximity observations”. The Examiner cites Crockett (pg. 1 [0009]-[0011]) as allegedly disclosing proximity observations. However, Crockett has a location system that has detecting means for determining a *location* of the remote location device, not an approximation. (see pg. 1 [0009]-[0011]). Furthermore, Crockett discloses an intelligent location agent means for selectively defining the location information in terms of *location event data*. (see pg. 1 [0009]-[0011]). Location event data according to Crockett defines when a boundary has been crossed, velocity, and distance traveled. (see pg. 1 [0009]-[0011]). Crockett, however, does not disclose proximity observations in determining a location of its remote location device. Thus, Crockett does not disclose or suggest this element of claim 1.

Independent claim 1 also recites the element of “initiating tasks”. The Examiner asserts that the remote location system of Crockett which includes a remote location device, communication means, and an intelligent location agent, as allegedly disclosing, “initiating tasks.” (see pg. 1, [0009]). The remote location system communicates location information between a movable remote location device and a location service. (see pg. 1, [0009]). Crockett, however, does not disclose or suggest that the remote location system initiates tasks,

and therefore Crockett does not disclose or suggest this element of the claimed invention as recited by claim 1.

Independent claim 1 also recites:

by a locator entity in a *distributed* system *gathering* said location measurements or *proximity observations* and *aggregating* said location information of said of at least one user (emphasis added).

The Examiner asserts that the remote location system and park location system of Crockett allegedly disclose the above recited element. The remote location system as described by Crockett makes no mention of a distributed system. (see pg. 3, [0069]-[0077]). Furthermore, the remote location system of Crockett *includes* location data, and *provides* minimum-distance sampling and velocity-determined sampling but does not *gather* proximity observations or *aggregate* location information. (see pg. 3, [0069]-[0077]). Also, the park location system merely notifies the system owner if a remote location device leaves the park, but does not gather location measurements or proximity observations; and the park location system also does not aggregate location information of at least one user. (see pg. 3, [0069]-[0077]). Thus Crockett does not disclose or suggest this element of the claimed invention as recited by claim 1.

Furthermore, independent claim 1 also recites:

serving location information requests according to inquirer's grants wherein said grants depend on the relative location or absolute location of an inquirer or a user, an inquirer's identity, an inquirer's intention, a user's intention, time, or an information exchange contract.

The Examiner asserts that remote location devices using intelligent algorithms of Crockett allegedly disclose the above recited elements. However, the remote location devices using intelligent algorithms merely decide what locations to store based on minimum distance

sampling, fixed time interval sampling or velocity-determined sampling. (see pg. 8, [0205]-[0210]), pg. 9, [0211]-[0214]). The Crockett samplings are not based on an inquirer's identity, an inquirer's intention, a user's intention, or an information exchange contract. (see pg. 8, [0205]-[0210]), pg. 9, [0211]-[0214], pg. 4, [0106]). Thus, Crockett does not disclose or suggest that which is claimed.

Regarding claim 9

For analogous reasons as those discussed above, claim 9 is also not anticipated and should be patentable over the cited references. Furthermore, claim 9 also recites the element, "a uniform networking interface for detecting devices feeding location information."

The Examiner cites Crockett (pg. 1 [0016]-[0039]) as allegedly disclosing a uniform networking interface for detecting devices feeding location information. The Applicant would like to point out to the Examiner under 37 CFR 1.104(c)(2), that when a reference is complex or shows or describes inventions other than that claimed by the applicant, the particular part relied on must be designated as nearly as practicable.

Turning to the merits, the Examiner asserts that: 1. The remote location devices, 2. The protocol for communicating with the remote location devices, 3. The delivery service, and 4. The intelligent location agent of Crockett (pg. 1 [0016]-[0039]) allegedly disclose the claimed uniform networking interface for detecting devices feeding location information. The cited prior art, however, does not disclose or teach the uniform networking interface for detecting devices feeding location information. Thus, Crockett does not disclose or suggest the claimed invention.

Regarding claim 15

For analogous reasons as those discussed above, claim 15 is also not anticipated and

should be patentable over the cited references. Furthermore, claim 15 also recites:

A locator device for coordinating location dependent information, services, and tasks, providing location measurements and proximity observations of a user.

The Examiner cites to Crockett (pg. 4 [0108]-[0112], pg. 5, [0113]-[0128])) as allegedly disclosing all elements of claim 15. The cited prior art, (Crockett pg. 4 [0108]-[0112], pg. 5, [0113]-[0128]), however, merely discloses a remote location device that provides a location. Furthermore, the remote location device does not disclose or teach coordinating location dependent information, services, and tasks. Thus Crockett does not disclose or suggest every element of the claimed invention, as recited by claim 15.

Regarding claims 16 and 17

Claims 16 and 17 are related apparatus claims, and for analogous reasons, claims 16 and 17 are also not anticipated and should be patentable over the cited references. Furthermore, claim 17 recites:

wherein a personalized locator agent unit is located in the distributed locator system dependent on said location information.

The Examiner cites Crockett (pg. 2 [0017]-[0018]) as allegedly disclosing a personalized locator agent unit. The cited prior art, however, merely discloses a remote location system but does not disclose or teach a personalized locator agent. Thus Crockett does not disclose or suggest this element of the independent claim.

Regarding claims 2-8, 10-14, and 18.

Claims 2-8, 10-14, and 18 should be patentable at least by virtue of their respective dependencies from claim 1 and 9.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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